

Wetlands Board Agenda

December 20, 2021



Wetlands Board Hearing Procedures

A Public Hearing of the Virginia Beach Wetlands Board will be held on **Monday, December 20, 2021 at 10:00 a.m. in the Council Chamber - City Hall, Bldg. 1 Municipal Center, Virginia Beach, VA.** A Staff briefing session will be held at 9:00 a.m.. All interested parties are invited to attend.

Citizens are encouraged to submit comments to the Wetlands Board prior to the public hearing via email to waterfront@vbgov.com or via United States Mail to Waterfront Operations, 2875 Sabre Street, Suite 500, Virginia Beach, VA 23452.

Due to the ongoing COVID-19 pandemic, please review the Wetlands Board website at www.vbgov.com/wetlands for the most up to date information. If you are **physically disabled** or **visually impaired** and need assistance at this meeting, please call **The Department of Planning and Community Development at (757) 385-4621**

Copies of plans, ordinances and amendments are on file and may be examined by appointment in the Department of Planning at 2875 Sabre St, Suite 500 or online at www.vbgov.com/wetlands. For additional information call the Planning Department at 757-385-4621. Staff reports will be available on the webpage 5 days prior to the meeting.

PLEASE TURN YOUR CELL PHONE OFF OR TO VIBRATE DURING THE HEARING.

THE ADMINISTRATIVE COMMENTS CONTAINED IN THE ATTACHED AGENDA CONSTITUTE STAFF RECOMMENDATIONS FOR EACH APPLICATION AND ARE ADVISORY ONLY. FINAL DETERMINATION OF THE APPLICATION IS MADE BY THE VIRGINIA BEACH WETLANDS BOARD AT THE PUBLIC HEARING.

THE FOLLOWING DESCRIBES THE ORDER OF BUSINESS FOR THE PUBLIC HEARING

1. **WITHDRAWALS AND DEFERRALS:** The first order of business is the consideration of withdrawals or requests to defer an item. The Board will ask those in attendance at the hearing if there are any requests to withdraw or defer an item that is on the agenda. **PLEASE NOTE THE REQUESTS THAT ARE MADE, AS ONE OF THE ITEMS BEING WITHDRAWN OR DEFERRED MAY BE THE ITEM THAT YOU HAVE AN INTEREST IN.**
 - a. An applicant may **WITHDRAW** an application without the Boards's approval at any time prior to the commencement of the public hearing for that item. After the commencement of the hearing, however, the applicant must request that the Wetlands Board allow the item to be withdrawn.
 - b. In the case of **DEFERRALS**, the Board's policy is to defer the item **FOR AT LEAST 60 DAYS**. Although the Board allows an item to be deferred upon request of the applicant, the Board will ask those in attendance if there are any objections to the request for deferral. If you wish to oppose a deferral request, let the Board know when they ask if there is anyone in attendance who is opposed to the deferral. **PLEASE** confine your remarks to the deferral request and do not address the issues of the application – in other words, please let the Board know why deferring the application is unacceptable rather than discussing what your specific issue is with the application.
2. **REGULAR AGENDA:** The Board will then proceed with the remaining items on the agenda, according to the following process:

* Deferral

** Withdrawal

**Wetlands Board Agenda
December 20, 2021**

- a. The applicant or applicant's representative will have 10 minutes to present the case.
- b. Next, those who wish to speak in support to the application will have 3 minutes to present their case.
- c. If there is a spokesperson for the opposition, he or she will have 10 minutes to present their case.
- d. All other speakers not represented by the spokesperson in opposition will have 3 minutes.
- e. The applicant or applicant's representative will then have 3 minutes for rebuttal of any comments from the opposition.
- f. There is then discussion among the Board members. No further public comment will be heard at that point. The Board may, however, allow additional comments from speakers if a member of the Board sponsors them. Normally, you will be sponsored only if it appears that new information is available and the time will be limited to 3 minutes.
- g. The Board does not allow slide or computer-generated projections other than those prepared by the Planning Department Staff.
- h. The Board asks that speakers not be repetitive or redundant in their comments. Do not repeat something that someone else has already stated. Petitions may be presented and are encouraged. If you are part of a group, the Board requests, in the interest of time, that you use a spokesperson, and the spokesperson is encouraged to have his or her supporters stand to indicate their support.

The Staff reviews of some or all of the items on this agenda suggest that certain conditions be attached to approval by the Wetlands Board. However, it should not be assumed that those conditions constitute all the conditions that will ultimately be attached to the project. Staff agencies may impose further conditions and requirements during administration of applicable City ordinances.

* Deferral
** Withdrawal

9:00 A.M. – STAFF BRIEFING AND DISCUSSION

- REVIEW OF PUBLIC HEARING AGENDA ITEMS

10:00 A.M. – PUBLIC HEARING

1. ANNUAL ELECTION OF OFFICERS

OLD BUSINESS – WETLANDS

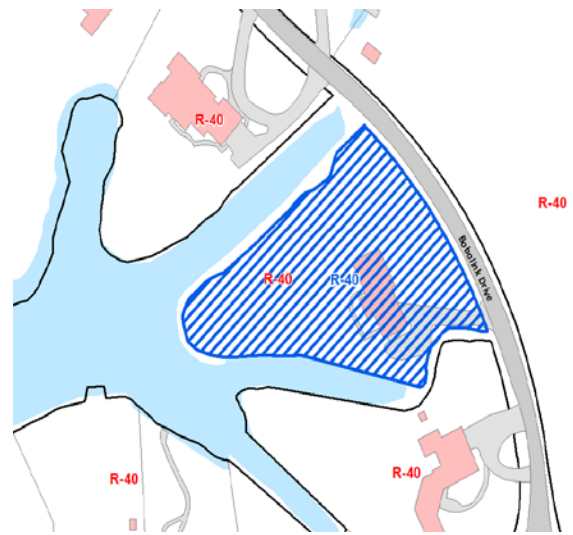
2. 2019-WTRA-00237
Krambias Properties, LLC
[Applicant/Owner]

REQUEST ONE YEAR EXTENSION

To construct a marsh sill and rip rap involving wetlands

921 Bobolink Drive
(GPIN 2418-22-7567)

Waterway – Linkhorn Bay
Subdivision – Birdneck Point
Council District – Lynnhaven



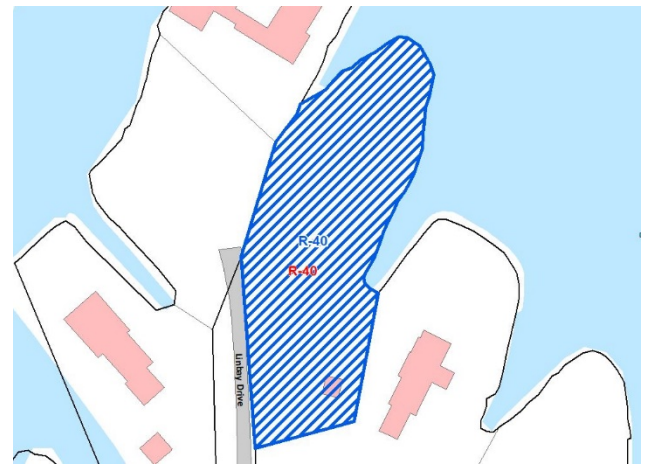
NEW BUSINESS – WETLANDS

3. 2021-WTRA-00333
Alex and Mary Beth Mitchum
[Applicant & Owner]

To construct rip rap revetment and sill and plant vegetation involving wetlands

848 Linbay Drive
(GPIN 2418-10-9414)

Waterway – Linkhorn Bay
Subdivision – Linkhorn Estates
Council District – Lynnhaven



* Deferral
** Withdrawal

2. 2019-WTRA-00237

Krambias Properties, LLC [Applicant/Owner]

REQUEST FOR 1 YEAR EXTENSION

To construct a marsh sill and rip rap involving wetlands

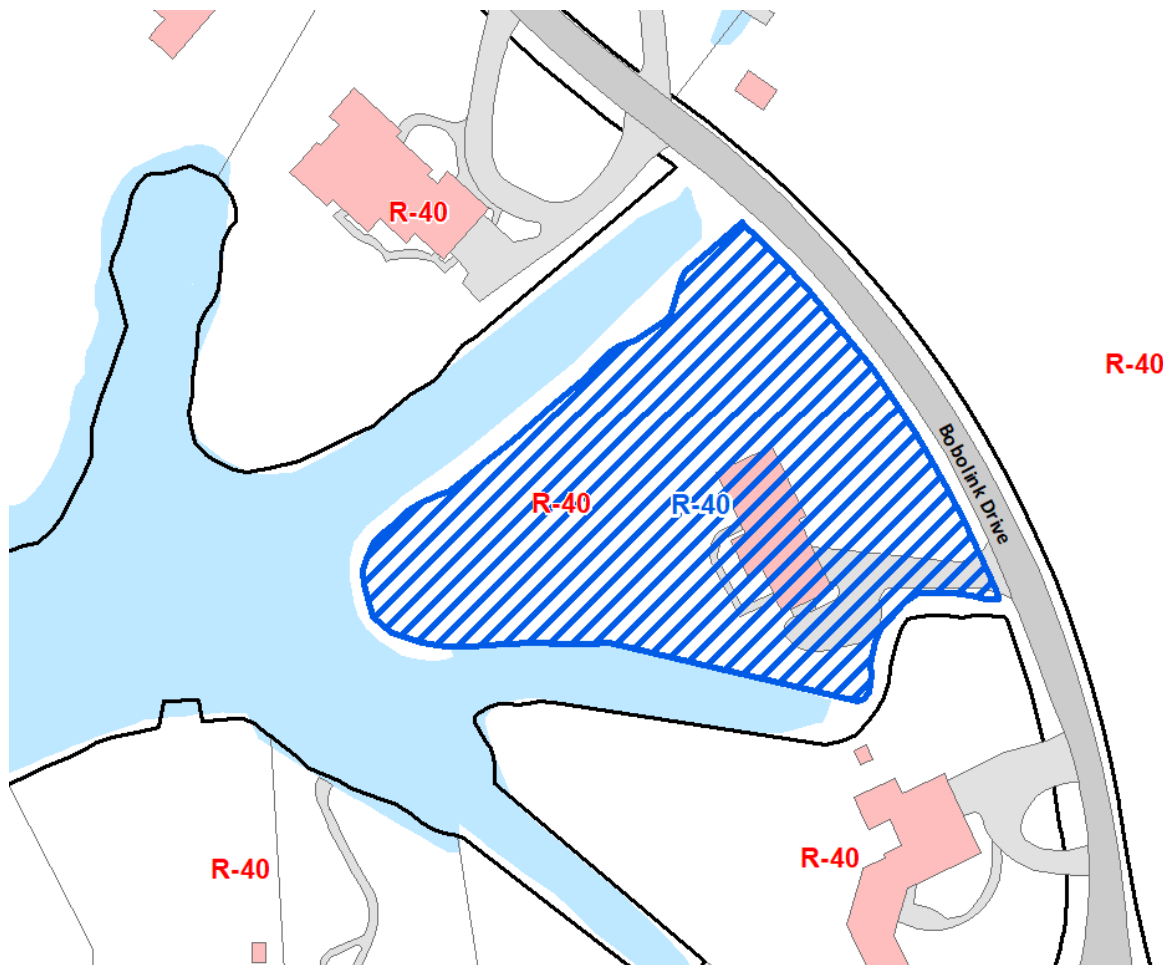
921 Bobolink Drive

(GPIN 2418-22-7567)

Waterway – Linkhorn Bay

Subdivision – Birdneck Point

Council District – Lynnhaven



From: [Paul J. Scully](#)
To: [Shannon M. Heederik](#); [Cole S. Fisher](#)
Subject: FW: 921 bobolink extension request 2019-WTRA-00237
Date: Friday, October 29, 2021 9:17:19 AM

From: David Kledzik <david@marineengineeringllc.com>
Sent: Friday, October 29, 2021 8:52 AM
To: Paul J. Scully <PScully@vbgov.com>; Christopher J. Berggren <CBerggren@vbgov.com>; Cole S. Fisher <CSFisher@vbgov.com>
Cc: Gloizou@selectautomotive.com
Subject: 921 bobolink extension request 2019-WTRA-00237

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi PJ,

On behalf of George Loizou of Krambias Properties LLC, I am requesting an extension of approval from the Wetlands Board for the project at 921 Bobolink Dr. VB file 2019-WTRA-00237.

Please advise if I should plan to appear at a hearing to make request.

Thank you,

David Kledzik, PE
Manager
Marine Engineering LLC
757 477-4787

3. 2021-WTRA-00333

Alex and Mary Beth Mitchum [Applicant/Owner]

To construct rip rap revetment and sill and plant vegetation involving wetlands

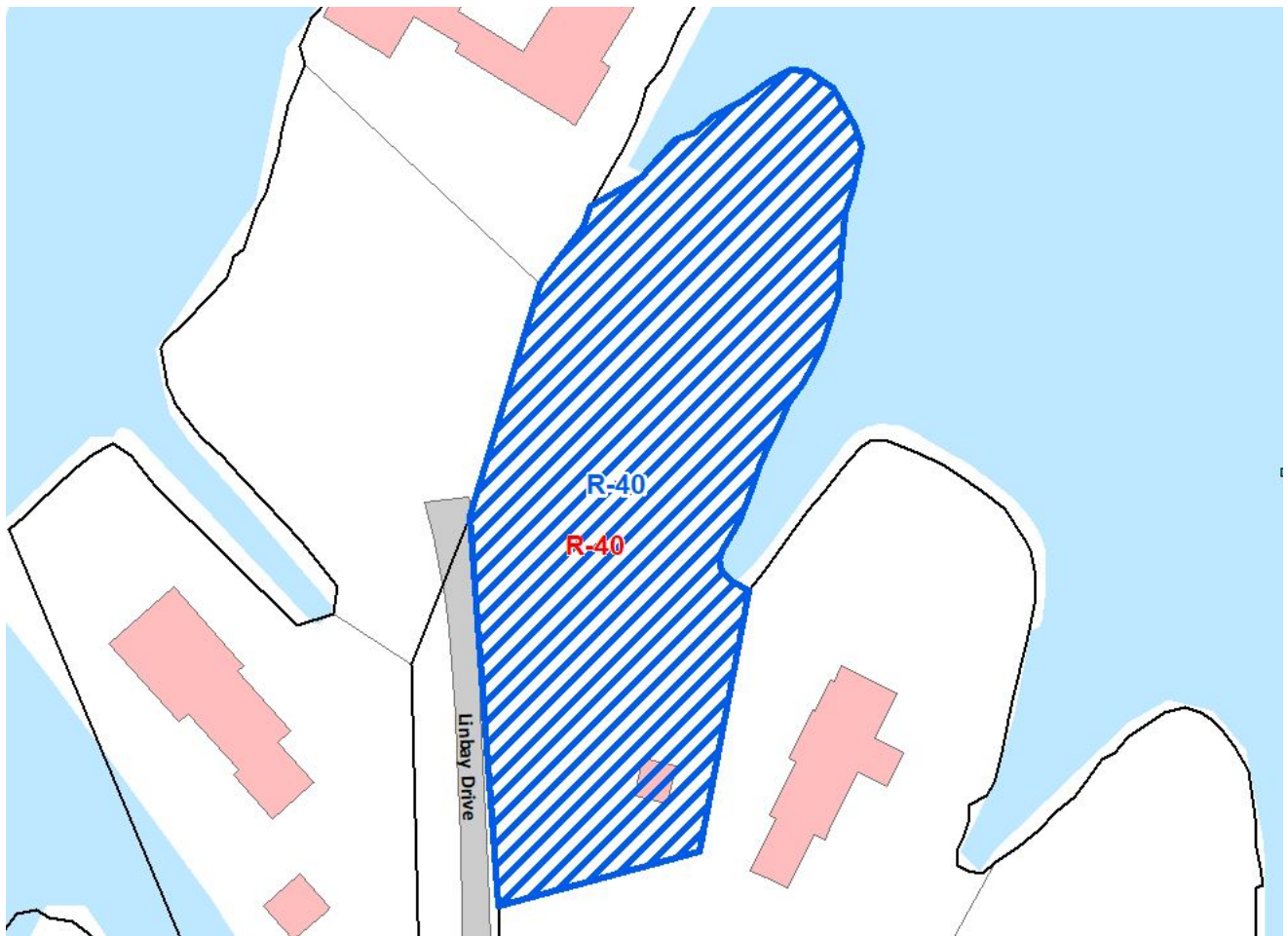
848 Linbay Drive

(GPIN 2418-10-9414)

Waterway – Linkhorn Bay

Subdivision – Linkhorn Estates

Council District – Lynnhaven



Disclosure Statement



The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a City board, commission or other body.

Applicant Disclosure

Applicant Name Alex Mitchum

Does the applicant have a representative? **Yes** **No**

- If **yes**, list the name of the representative.

Billy Garrington, GPC, Inc

Is the applicant a corporation, partnership, firm, business, trust or an unincorporated business? **Yes** **No**

- If **yes**, list the names of all officers, directors, members, trustees, etc. below. (Attach a list if necessary)

- If **yes**, list the businesses that have a parent-subsiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

Disclosure Statement



Known Interest by Public Official or Employee

Does an **official or employee of the City of Virginia Beach** have an interest in the subject land or any proposed development contingent on the subject public action? **Yes** **No**

- If **yes**, what is the name of the official or employee and what is the nature of the interest?
-

Applicant Services Disclosure

1. Does the applicant have **any existing financing (mortgage, deeds of trust, cross-collateralization, etc) or are they considering any financing** in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the financial institutions.
-

2. Does the applicant have a **real estate broker/agent/realtor** for current and anticipated future sales of the subject property? **Yes** **No**

- If **yes**, identify the real estate broker/realtor.
-

3. Does the applicant have services for **accounting and/or preparation of tax returns** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the firm or individual providing the service.
-

4. Does the applicant have services from an **architect/landscape architect/land planner** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the firm or individual providing the service.

Covington Hendrix and Anderson

5. Is there any other **pending or proposed purchaser** of the subject property? **Yes** **No**

- If **yes**, identify the purchaser and purchaser's service providers.
-

Disclosure Statement



6. Does the applicant have a **construction contractor** in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the construction contractor.

Taylor Construction

7. Does the applicant have an **engineer/surveyor/agent** in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the engineer/surveyor/agent.

WPL

8. Is the applicant receiving **legal services** in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the name of the attorney or firm providing legal services.

Applicant Signature

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.

Applicant Signature

Alex Mitchum

Print Name and Title

12/24/20

Date

Is the applicant also the owner of the subject property? **Yes** **No**

- If **yes**, you do not need to fill out the owner disclosure statement.

FOR CITY USE ONLY/ All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the applications

<input type="checkbox"/>	No changes as of	Date	Signature	
			Print Name	

- ❖ VMRC: An application fee of \$300 may be required for projects impacting tidal wetlands, beaches and/or dunes when VMRC acts as the LWB. VMRC will notify the applicant in writing if the fee is required. Permit fees involving subaqueous lands are \$25.00 for projects costing \$10,000 or less and \$100 for projects costing more than \$10,000. Royalties may also be required for some projects. The proper permit fee and any required royalty is paid at the time of permit issuance by VMRC. VMRC staff will send the permittee a letter notifying him/her of the proper permit fees and submittal requirements.
- ❖ LWB: Permit fees vary by locality. Contact the LWB for your project area or their website for fee information and submittal requirements. Contact information for LWBs may be found at http://ccrm.vims.edu/permits_web/guidance/local_wetlands_boards.html.

FOR AGENCY USE ONLY	
	Notes:
	JPA # 21-2285

APPLICANTS

Part 1 – General Information

PLEASE PRINT OR TYPE ALL ANSWERS: If a question does not apply to your project, please print N/A (not applicable) in the space provided. If additional space is needed, attach 8-1/2 x 11 inch sheets of paper.

County or City in which the project is located: <u>Virginia Beach</u>				
Waterway at project site: <u>Linkhorn Bay</u>				
PREVIOUS ACTIONS RELATED TO THE PROPOSED WORK (Include all federal, state, and local pre-application coordination, site visits, previous permits, or applications whether issued, withdrawn, or denied)				
Historical information for past permit submittals can be found online with VMRC - https://webapps.mrc.virginia.gov/public/habitat/ - or VIMS - http://ccrm.vims.edu/perms/newpermits.html				
Agency	Action / Activity	Permit/Project number, including any non-reporting Nationwide permits previously used (e.g., NWP 13)	Date of Action	If denied, give reason for denial

- Applicant's legal name* and complete mailing address: Contact Information:

Alex Mitchum c/o Taylor Construction	Home () _____
600 North Witchduck Road, Suite 107	Work (757) 328-8048 _____
Virginia Beach, Virginia 23462	Fax () _____
	Cell () _____
	e-mail <u>abm@cadmind.com</u> _____
State Corporation Commission Name and ID Number (if applicable) _____	
- Property owner(s) legal name* and complete address, if different from applicant: Contact Information:

Same as Applicant's	Home () _____
	Work () _____
	Fax () _____
	Cell () _____
	e-mail _____
State Corporation Commission Name and ID Number (if applicable) _____	

Part 1 - General Information (continued)

3. Authorized agent name* and complete mailing address (if applicable):

Billy Garrington, Governmental Permitting Consultants
471 Southside Rd
Virginia Beach, VA 23451

State Corporation Commission Name and ID Number (if applicable) _____

Contact Information:

Home () _____

Work (757) 428-4245 _____

Fax () _____

Cell () _____

e-mail jgarrington1@cox.net _____

*** If multiple applicants, property owners, and/or agents, each must be listed and each must sign the applicant signature page.**

4. Provide a detailed description of the project in the space below, including the type of project, its dimensions, materials, and method of construction. Be sure to include how the construction site will be accessed and whether tree clearing and/or grading will be required, including the total acreage. If the project requires pilings, please be sure to include the total number, type (e.g. wood, steel, etc), diameter, and method of installation (e.g. hammer, vibratory, jetted, etc). If additional space is needed, provide a separate sheet of paper with the project description.

Remove existing failed concrete bulkhead, concrete and brick debris. Install Rip-rap revetment, pier, boatlift, dock, and mooring piles. Access will be from the shore (Single Construction Access in combination with the construction of the new residence) and from the water via barge

5. Have you obtained a contractor for the project? Yes* No. *If your answer is "Yes" complete the remainder of this question and submit the Applicant's and Contractor's Acknowledgment Form (enclosed)

Contractor's name* and complete mailing address:

Contact Information:

Home () _____

Work () _____

Fax () _____

Cell () _____

email _____

State Corporation Commission Name and ID Number (if applicable) _____

*** If multiple contractors, each must be listed and each must sign the applicant signature page.**

6. List the name, address and telephone number of the newspaper having general circulation in the area of the project. Failure to complete this question may delay local and State processing.

Name and complete mailing address:

Telephone number

(800) 446-2005 _____

Virginia Pilot
150 W Brambleton Avenue
Norfolk, VA 23510

Part 1 - General Information (continued)

7. Give the following project location information:

Street Address (911 address if available) 848 Linbay Drive

Lot/Block/Parcel# 32

Subdivision Linlier

City / County Virginia Beach

ZIP Code 23451

Latitude and Longitude at Center Point of Project Site (Decimal Degrees):

36.855231 / -76.008149 (Example: 36.41600/-76.30733)

If the project is located in a rural area, please provide driving directions giving distances from the best and nearest visible landmarks or major intersections. *Note: if the project is in an undeveloped subdivision or property, clearly stake and identify property lines and location of the proposed project. A supplemental map showing how the property is to be subdivided should also be provided.*

8. What are the *primary and secondary purposes of and the need for* the project? For example, the primary purpose may be “to protect property from erosion due to boat wakes” and the secondary purpose may be “to provide safer access to a pier.”

The primary purpose is to halt erosion and protect the existing uplands of the site and the secondary purpose is to provide access to the waterfront

9. Proposed use (check one):

Single user (private, non-commercial, residential)

Multi-user (community, commercial, industrial, government)

10. Describe alternatives considered and the measures that will be taken to avoid and minimize impacts, to the maximum extent practicable, to wetlands, surface waters, submerged lands, and buffer areas associated with any disturbance (clearing, grading, excavating) during and after project construction. *Please be advised that unavoidable losses of tidal wetlands and/or aquatic resources may require compensatory mitigation.*

Single Construction Access in combination with the construction of the new residence; remove large area of construction debris and materials; work with staff to evaluate and relocate any existing oyster strikes; no loss of wetlands will occur, 170 sq. ft. of wetlands will be created by removing earth and debris

Part 1 - General Information (continued)

11. Is this application being submitted for after-the-fact authorization for work which has already begun or been completed? Yes No. If yes, be sure to clearly depict the portions of the project which are already complete in the project drawings.
12. Approximate cost of the entire project (materials, labor, etc.): \$ 150,000
Approximate cost of that portion of the project that is channelward of mean low water:
\$ 95,000
13. Completion date of the proposed work: April - 2022
14. Adjacent Property Owner Information: List the name and complete **mailing address**, including zip code, of each adjacent property owner to the project. (NOTE: If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.) Failure to provide this information may result in a delay in the processing of your application by VMRC.
1. George H. Burton, III Trust
850 Linbay Drive
Virginia Beach, VA 23451
 2. Kathryn Blanche Taylor
828 Linbay Drive
Virginia Beach, VA 23451

Part 2 - Signatures

1. Applicants and property owners (if different from applicant).

NOTE: REQUIRED FOR ALL PROJECTS

PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

CERTIFICATION: I am hereby applying for all permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.

In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Alex Mitchum

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)



Applicant's Signature

(Use if more than one applicant)

11/17/2021

Date

same as applicant

Property Owner's Legal Name (printed/typed)
(If different from Applicant)

(Use if more than one owner)

Property Owner's Signature

(Use if more than one owner)

Date

Part 2 – Signatures (continued)

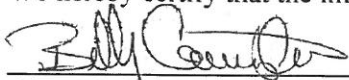
2. Applicants having agents (if applicable)

CERTIFICATION OF AUTHORIZATION

I (we), Alex Mitchum, hereby certify that I (we) have authorized Billy Garrington
(Applicant's legal name(s)) (Agent's name(s))

to act on my behalf and take all actions necessary to the processing, issuance and acceptance of this permit and any and all standard and special conditions attached.

We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge.



(Agent's Signature)

(Use if more than one agent)

11/17/2021

(Date)



(Applicant's Signature)

(Use if more than one applicant)

11/17/2021

(Date)

3. Applicant's having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), n/a, have contracted _____
(Applicant's legal name(s)) (Contractor's name(s))

to perform the work described in this Joint Permit Application, signed and dated _____.

We will read and abide by all conditions set forth in all Federal, State and Local permits as required for this project. We understand that failure to follow the conditions of the permits may constitute a violation of applicable Federal, state and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. In addition, we agree to make available a copy of any permit to any regulatory representative visiting the project to ensure permit compliance. If we fail to provide the applicable permit upon request, we understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all terms and conditions.

Contractor's name or name of firm

Contractor's or firms address

Contractor's signature and title

Contractor's License Number

Applicant's signature

(use if more than one applicant)

Date

Part 3 – Appendices

Please complete and submit the appendix questions applicable to your project, and attach the required vicinity map(s) and drawings to your application. If an item does not apply to your project, please write "N/A" in the space provided.

Appendix A: Projects for Access to the water such as private and community piers, boathouses, marinas, moorings, and boat ramps. Answer all questions that apply.

1. Briefly describe your proposed project.

This plan is proposing the installation of 388 LF Rip-rap Revetment, wood pier 5'x110', a 9.5'x40' wood dock, a 13'x13' Boat Lift, and a 20'x37' Covered Boathouse for the purpose of safe water access

2. For private, noncommercial piers:

Do you have an existing pier on your property? Yes No

If yes, will it be removed? Yes No

Is your lot platted to the mean low water shoreline? Yes No

What is the overall length of the proposed structure? 147 feet.

Channelward of Mean High Water? 139 feet.

Channelward of Mean Low Water? 136 feet.

What is the area of the piers and platforms that will be constructed over

Tidal non-vegetated wetlands 0 square feet.

Tidal vegetated wetlands 0 square feet.

Submerged lands 1,012 square feet.

What is the total size of any and all L- or T-head platforms? 380 sq. ft.

For boathouses, what is the overall size of the roof structure? 740 sq. ft.

Will your boathouse have sides? Yes No.

NOTE: All proposals for piers, boathouses and shelter roofs must be reviewed by the Virginia Marine Resources Commission (Commission or VMRC), however, pursuant to § 28.2-1203 A 5 of the Code of Virginia a VMRC permit may not be required for such structures (except as required by subsection D of § 28.2-1205 for piers greater than 100 feet in length involving commercially productive leased oyster or clam grounds), provided that (i) the piers do not extend beyond the navigation line or private pier lines established by the Commission or the United States Army Corps of Engineers (USACE), (ii) the piers do not exceed six feet in width and finger piers do not exceed five feet in width, (iii) any L or T head platforms and appurtenant floating docking platforms do not exceed, in the aggregate, 400 square feet, (iv) if prohibited by local ordinance open-sided shelter roofs or gazebo-type structures shall not be placed on platforms as described in clause (iii), but may be placed on such platforms if not prohibited by local ordinance, and (v) the piers are determined not to be a navigational hazard by the Commission. Subject to any applicable local ordinances, such piers may include an attached boat lift and an open-sided roof designed to shelter a single boat slip or boat lift. In cases in which open-sided roofs designed to shelter a single boat, boat slip or boat lift will exceed 700 square feet in coverage or the open-sided shelter roofs or gazebo structures exceed 400 square feet, and in cases in which an adjoining property owner objects to a proposed roof structure, permits shall be required as provided in § 28.2-1204.

Part 3 – Appendices (continued)

3. **For USACE permits**, in cases where the proposed pier will encroach beyond one fourth the waterway width (as determined by measuring mean high water to mean high water or ordinary high water mark to ordinary high water mark), the following information must be included before the application will be considered complete. For an application to be considered complete:
 - a. The USACE MAY require depth soundings across the waterway at increments designated by the USACE project manager. Typically 10-foot increments for waterways less than 200 feet wide and 20-foot increments for waterways greater than 200 feet wide with the date and time the measurements were taken and how they were taken (e.g., tape, range finder, etc.).
 - b. The applicant MUST provide a justification as to purpose if the proposed work would extend a pier greater than one-fourth of the distance across the open water measured from mean high water or the channelward edge of the wetlands.
 - c. The applicant MUST provide justification if the proposed work would involve the construction of a pier greater than five feet wide or less than four feet above any wetland substrate.

4. Provide the type, size, and registration number of the vessel(s) to be moored at the pier or mooring buoy.

Type	Length	Width	Draft	Registration #
N/A				

5. For **Marinas, Commercial Piers, Governmental Piers, Community Piers and other non-private piers**, provide the following information:
 - A) Have you obtained approval for sanitary facilities from the Virginia Department of Health? _____ (required pursuant to Section 28.2-1205 C of the Code of Virginia).
 - B) Will petroleum products or other hazardous materials be stored or handled at your facility? _____.
 - C) Will the facility be equipped to off-load sewage from boats? _____.
 - D) How many wet slips are proposed? _____. How many are existing? _____.
 - E) What is the area of the piers and platforms that will be constructed over
 - Tidal non-vegetated wetlands _____ square feet
 - Tidal vegetated wetlands _____ square feet
 - Submerged lands _____ square feet

6. For **boat ramps**, what is the overall length of the structure? _____ feet.
 - From Mean High Water? _____ feet.
 - From Mean Low Water? _____ feet.

Note: drawings must include the construction materials, method of installation, and all dimensions. If tending piers are proposed, complete the pier portion.

Note: If dredging or excavation is required, you must complete the Standard Joint Point Permit application.

Part 3 – Appendices (continued)

Appendix B: Projects for Shoreline Stabilization in tidal wetlands, tidal waters and dunes/beaches including riprap revetments and associated backfill, marsh toe stabilization, bulkheads and associated backfill, breakwaters, beach nourishment, groins, jetties, and living shoreline projects. Answer all questions that apply. Please provide any reports provided from the Shoreline Erosion Advisory Service or VIMS.

NOTE: It is the policy of the Commonwealth that living shorelines are the preferred alternative for stabilizing tidal shorelines (Va. Code § 28.2-104.1). **Information on non-structural, vegetative alternatives (i.e., Living Shoreline) for shoreline stabilization is available at http://cerm.vims.edu/coastal_zone/living_shorelines/index.html.**

1. Describe each **revetment, bulkhead, marsh toe, breakwater, groin, jetty, other structure, or living shoreline project** separately in the space below. Include the overall length in linear feet, the amount of impacts in acres, and volume of associated backfill below mean high water and/or ordinary high water in cubic yards, as applicable:

Construction of rip-rap revetment with marsh planting with vegetated wetland replacement

The overall revetment along shoreline is 38 LF and 100 CY rip-rap. w/ 6" +/- select sand backfill to kick plate (14 CY)

The overall non-vegetated impacts are 167 sq. ft. w/ vegetated wetland creation of 170 sq. ft. sand planting backfill.

2. What is the maximum encroachment channelward of mean high water? 3 feet.
Channelward of mean low water? 0 feet.
Channelward of the back edge of the dune or beach? n/a feet.

3. Please calculate the square footage of encroachment over:

- Vegetated wetlands 0 square feet
- Non-vegetated wetlands 167 square feet
- Subaqueous bottom 0 square feet
- Dune and/or beach n/a square feet

4. For bulkheads, is any part of the project maintenance or replacement of a previously authorized, currently serviceable, existing structure? Yes No.

If yes, will the construction of the new bulkhead be no further than two (2) feet channelward of the existing bulkhead? Yes No.

If no, please provide an explanation for the purpose and need for the additional encroachment.

**ENGINEER'S INSPECTION STATEMENT
FOR
WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND
DUNE PROJECTS**

REVISED 12-11-02

PROJECT LOCATION: 848 Linbay Drive

APPLICANT'S NAME: Alex Mitchum


APPLICANT'S ADDRESS: 848 Linbay Drive

Virginia Beach VA 23451

ENGINEER OF RECORD: WPL

AT THE COMPLETION OF A WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECT IT IS REQUIRED THAT A CERTIFICATION BY THE ENGINEER OF RECORD STATING THAT, THEY HAVE INSPECTED THE REFERENCED PROJECT SITE AND TO THE BEST OF THEIR KNOWLEDGE, THE WATERFRONT/COASTAL PRIMARY SAND DUNE PROJECT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS THEY PREPARED. SUCH CERTIFICATION SHALL BE SEALED BY THE ENGINEER OF RECORD.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT OF PLANNING, WATERFRONT OPERATIONS OFFICE WITH ALL APPLICATIONS FOR WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS AT THE TIME OF SUBMITTAL.



SIGNATURE OF ENGINEER OF RECORD
CERTIFYING THE ABOVE

08/15/2021

DATE

Lance C. Large, PE

TYPE OR PRINT NAME OF ENGINEER OF RECORD



SIGNATURE OF APPLICANT

08/15/2021

DATE

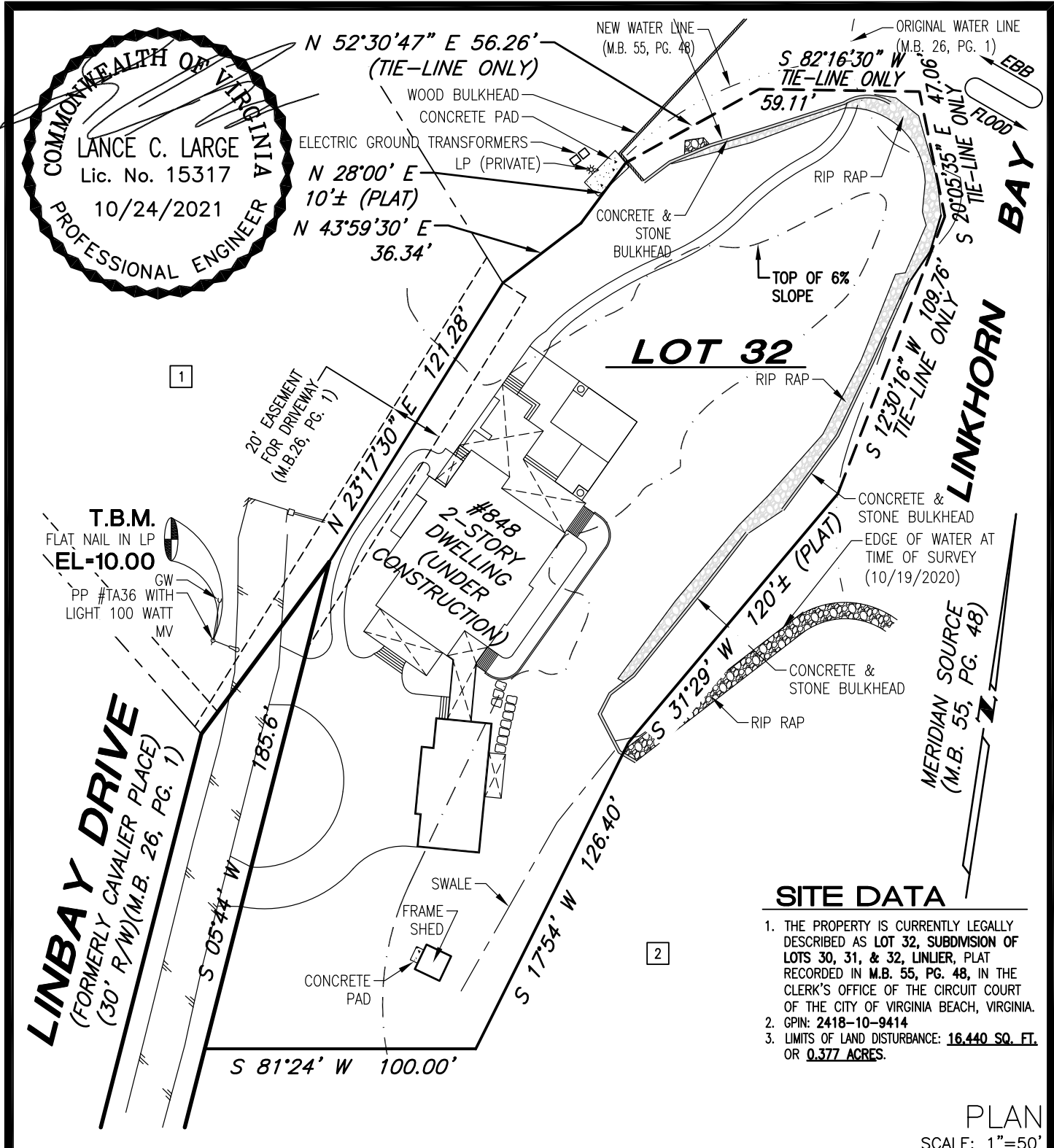
SIGNATURE OF COASTAL ZONE ADMINISTRATOR

DATE

ANY ALTERATION OF THIS FORM OR IT'S ENDORSEMENTS WITHOUT THE EXPRESS CONSENT FROM THE ORIGINATOR SHALL INVALIDATE THIS INSTRUMENT.

APPLICATION NO. _____
(TO BE COMPLETED BY STAFF)

COMMONWEALTH OF VIRGINIA
LANCE C. LARGE
 Lic. No. 15317
 10/24/2021
 PROFESSIONAL ENGINEER



SITE DATA

1. THE PROPERTY IS CURRENTLY LEGALLY DESCRIBED AS LOT 32, SUBDIVISION OF LOTS 30, 31, & 32, LINLIER, PLAT RECORDED IN M.B. 55, PG. 48, IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF VIRGINIA BEACH, VIRGINIA.
2. GPIN: 2418-10-9414
3. LIMITS OF LAND DISTURBANCE: **16,440 SQ. FT.** OR **0.377 ACRES.**

PLAN
 SCALE: 1"=50'

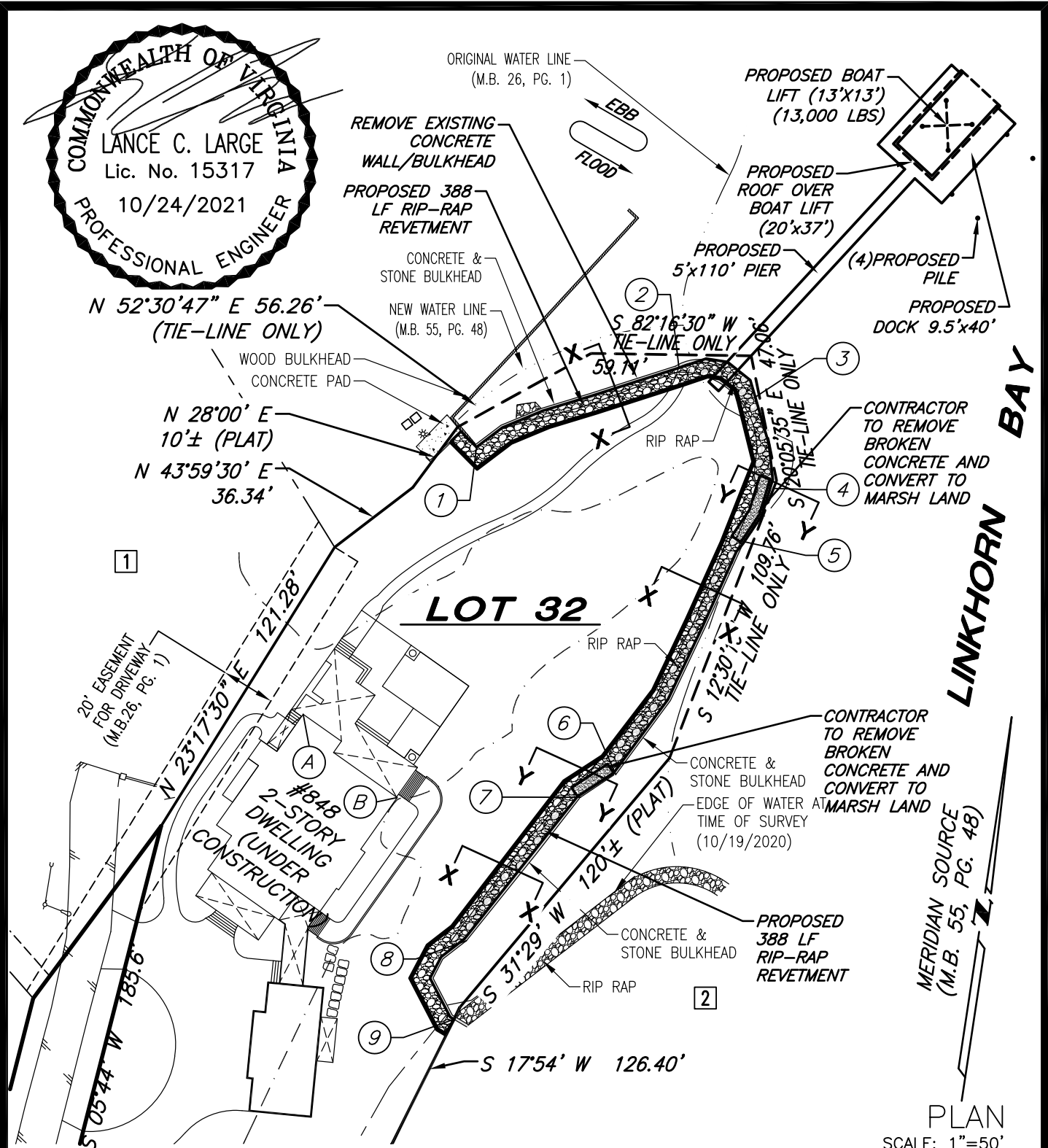
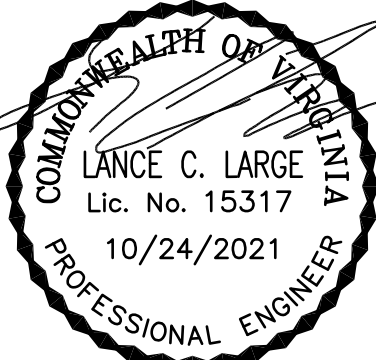
PURPOSE: WATERFRONT ACCESS
 DATUM: NAVD 1988
 ADJACENT PROPERTY OWNERS:
 1. GEORGE H. BURTON III TRUST
 2. KATHRYN BLANCHE TAYLOR



PROPOSED RIP-RAP, PIER, DOCK & BOATLIFT
 APPLICATION BY: ALEX MITCHUM C/O SCOTT TAYLOR
 SITE ADDRESS: 848 LINBAY DRIVE
 VIRGINIA BEACH, VIRGINIA 23451

DATE: 07/08/2021
 PLAT: N-74
 SHEET 1 OF 7

F.B./PG.: 1053/31
 WPL# 220-0239



PURPOSE: WATERFRONT ACCESS
 DATUM: NAVD 1988
 ADJACENT PROPERTY OWNERS:
 1. GEORGE H. BURTON III TRUST
 2. KATHRYN BLANCHE TAYLOR



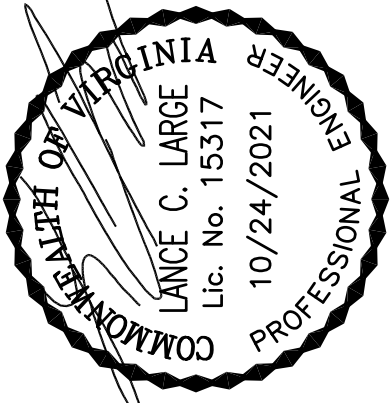
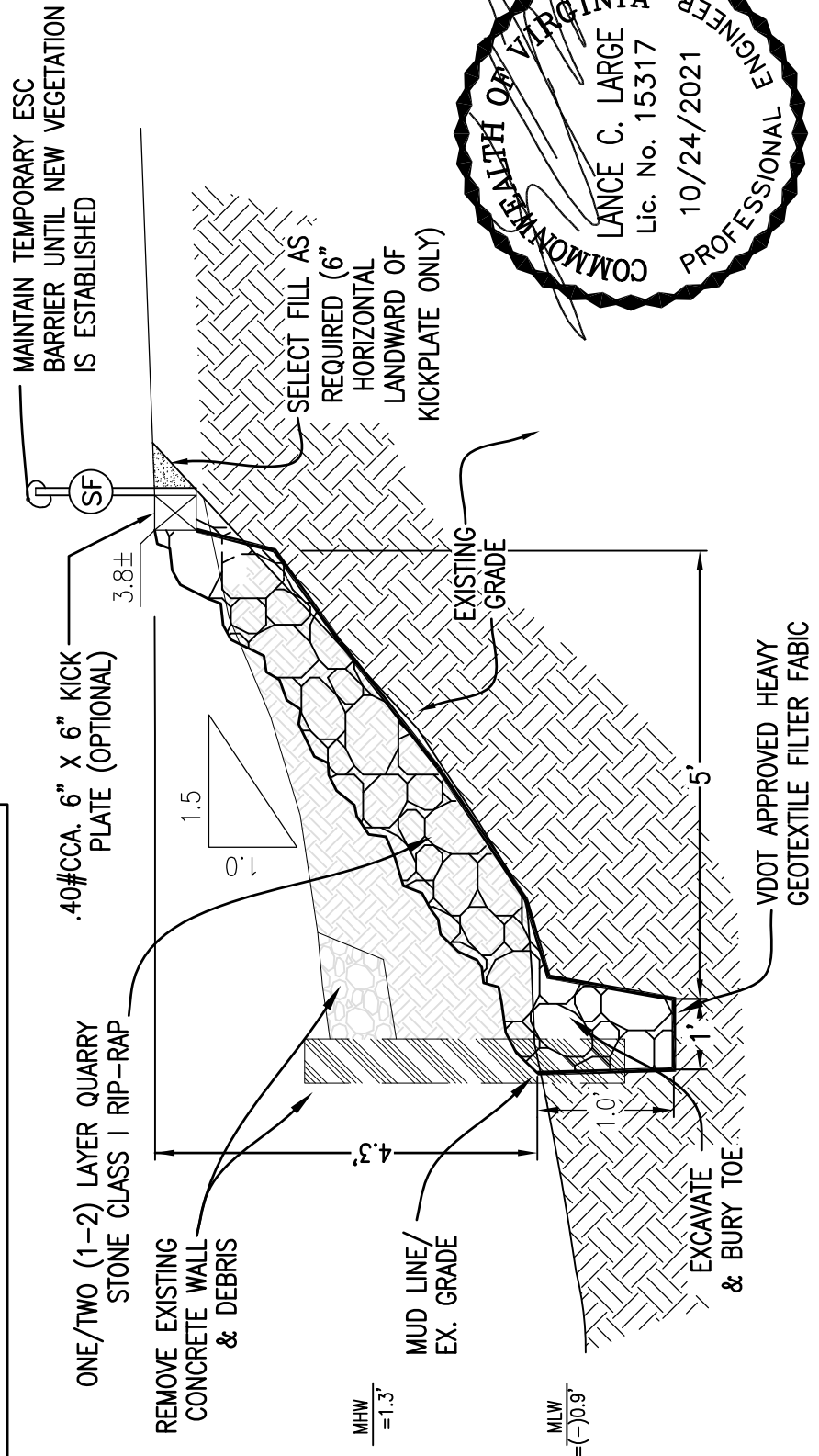
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 APPLICATION BY: ALEX MITCHUM C/O SCOTT TAYLOR
 SITE ADDRESS: 848 LINBAY DRIVE
 VIRGINIA BEACH, VIRGINIA 23451

DATE: 07/08/2021
 PLAT: N-74
 SHEET 2 OF 7

F.B./PG.: 1053/31
 WPL# 220-0239

- INSTALLATION AND ACCESS TO PROJECT SITE TO BE DONE VIA WATER BY BARGE AND WITHIN THE CONSTRUCTION ACCESS WAY ONLY (AS SHOWN ON THE APPROVED SITE PLAN)
- ALL EXISTING UPLAND VEGETATION WITHIN THE FULL LIMITS OF CONSTRUCTION SHALL BE RESTORED IN-KIND IMMEDIATELY FOLLOWING CONSTRUCTION. ALL DISTURBED AREAS WILL BE RESTORED TO ORIGINAL VEGETATION AND CONDITIONS
- WHERE MATURE TREES EXIST ADJACENT TO TIDAL WATERS, THE SELECT REMOVAL OF LOWER TREE LIMBS SHALL BE PERFORMED THEREBY PERMITTING SUNLIGHT TO INTERFACE WITH TIDAL FRINGE MARSH.

- NOTES:**
1. ALL FRAMING LUMBER AND PILING SHALL BE CCA 2.5 ROUGH MARINE SALT TREATED.
 2. ALL HARDWARE AND FASTENERS SHALL BE HOT DIPPED GALVANIZED.
 3. ALL PILES ARE TO BE DRIVEN AT A MINIMUM OF 50% PENETRATION BELOW EXISTING MUD LINE.



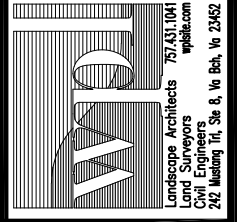
DETAILS
SCALE: 1/2"=1'

RIP-RAP REVETMENT & SHORELINE

SECTION X-X

PROPOSED RIP-RAP, PIER, DOCK & BOATLIFT
APPLICATION BY: ALEX MITCHUM C/O SCOTT TAYLOR
SITE ADDRESS: 848 LINBAY DRIVE
VIRGINIA BEACH, VIRGINIA 23451

DATE: 07/08/2021
PLAT: N-74
SHEET 3 OF 7



PURPOSE: WATERFRONT ACCESS
DATUM: NAVD 1988
ADJACENT PROPERTY OWNERS:
1. GEORGE H. BURTON III TRUST
2. KATHRYN BLANCHE TAYLOR

F.B./PG.: 1053/31
WPL# 220-0239

- **INSTALLATION AND ACCESS TO PROJECT SITE TO BE DONE VIA WATER BY BARGE AND WITHIN THE CONSTRUCTION ACCESS WAY ONLY (AS SHOWN ON THE APPROVED SITE PLAN)**
- **ALL EXISTING UPLAND VEGETATION WITHIN THE FULL LIMITS OF CONSTRUCTION, SHALL BE RESTORED IN-KIND IMMEDIATELY FOLLOWING CONSTRUCTION. ALL DISTURBED AREAS WILL BE RESTORED TO ORIGINAL VEGETATION AND CONDITIONS**
- **WHERE MATURE TREES EXIST ADJACENT TO TIDAL WATERS, THE SELECT REMOVAL OF LOWER TREE LIMBS SHALL BE PERFORMED THEREBY PERMITTING SUNLIGHT TO INTERFACE WITH TIDAL FRINGE MARSH.**

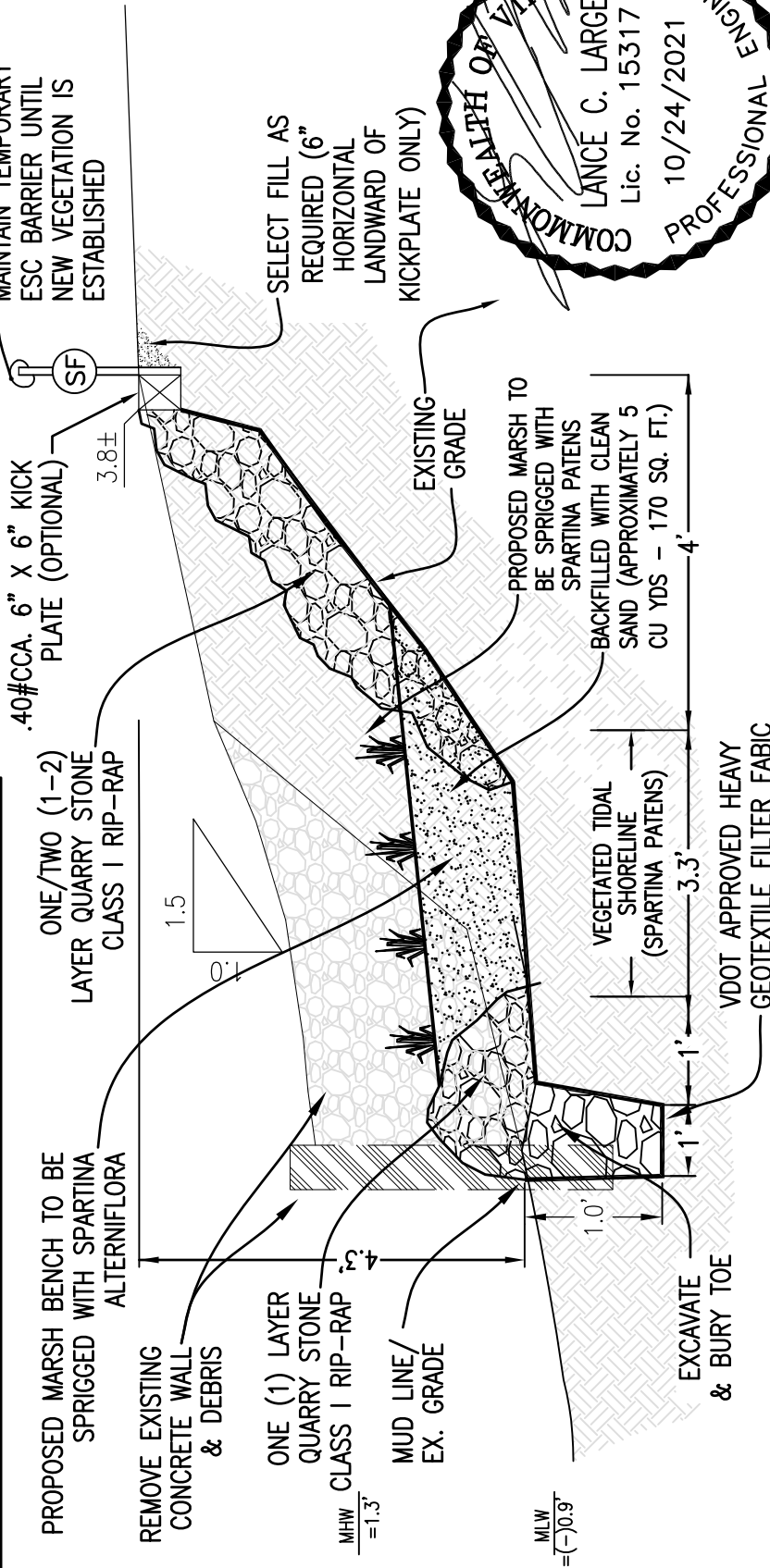
SPARTINA PATENS & SPARTINA ALTERNIFLORA AT LEAST 6" TALL 12" ON CENTER SPACING IN STAGGERING ROWS

FERTILIZATION MIN. 3-4 MONTHS SLOW RELEASE BALANCED FERTILIZER SUCH AS OSMOCOTE SHOULD BE USED ON ALL PLANTS

NOTES:

1. ALL FRAMING LUMBER AND PILING SHALL BE CCA 2.5 ROUGH MARINE SALT TREATED.
2. ALL HARDWARE AND FASTENERS SHALL BE HOT DIPPED GALVANIZED.
3. ALL PILES ARE TO BE DRIVEN AT A MINIMUM OF 50% PENETRATION BELOW EXISTING MUD LINE.

MAINTAIN TEMPORARY ESC BARRIER UNTIL NEW VEGETATION IS ESTABLISHED

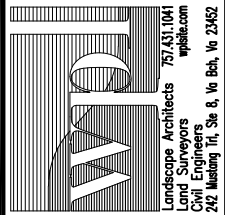


RIP-RAP REVETMENT & SHORELINE

DETAILS
SCALE: 1"=2'

SECTION Y-Y

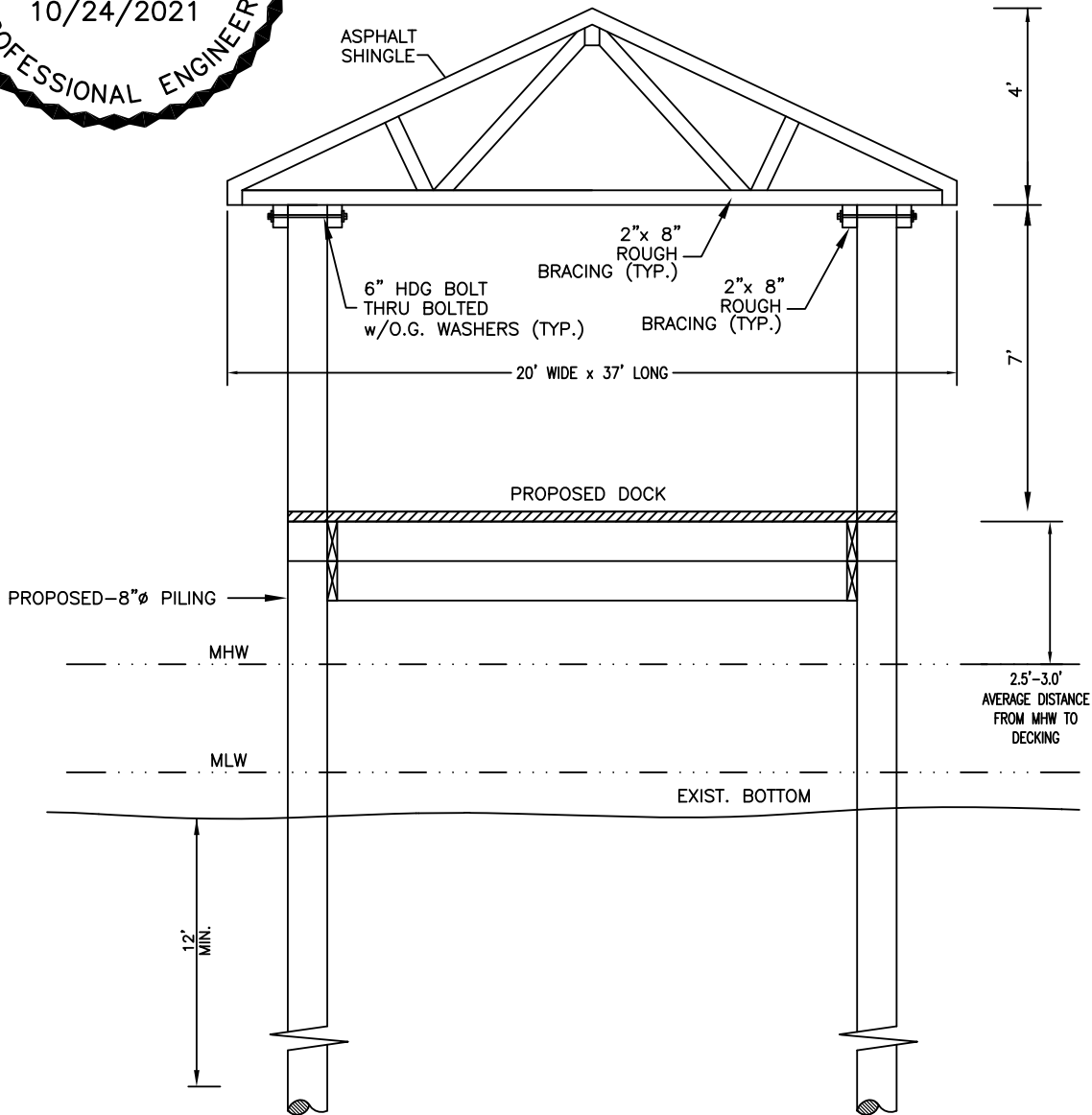
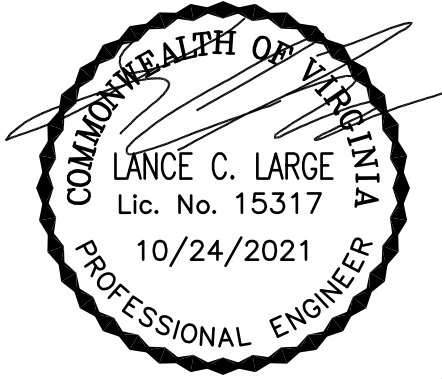
PURPOSE: WATERFRONT ACCESS
 DATUM: NAVD 1988
 ADJACENT PROPERTY OWNERS:
 1. GEORGE H. BURTON III TRUST
 2. KATHRYN BLANCHE TAYLOR



DATE: 07/08/2020
 PLAT: N-74
 SHEET 3 OF 6

PROPOSED RIP-RAP, PIER, DOCK & BOATLIFT
 APPLICATION BY: ALEX MITCHUM C/O SCOTT TAYLOR
 SITE ADDRESS: 848 LINBAY DRIVE
 VIRGINIA BEACH, VIRGINIA 23451

F.B./PG.: 1053/31
 WPL# 220-0239



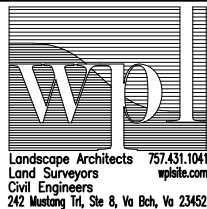
COVERED DOCK DETAIL

N.T.S.

DETAILS

SCALE: NTS

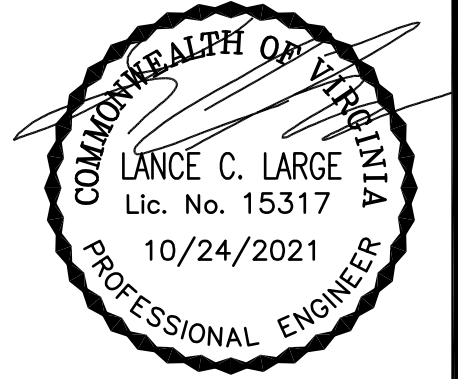
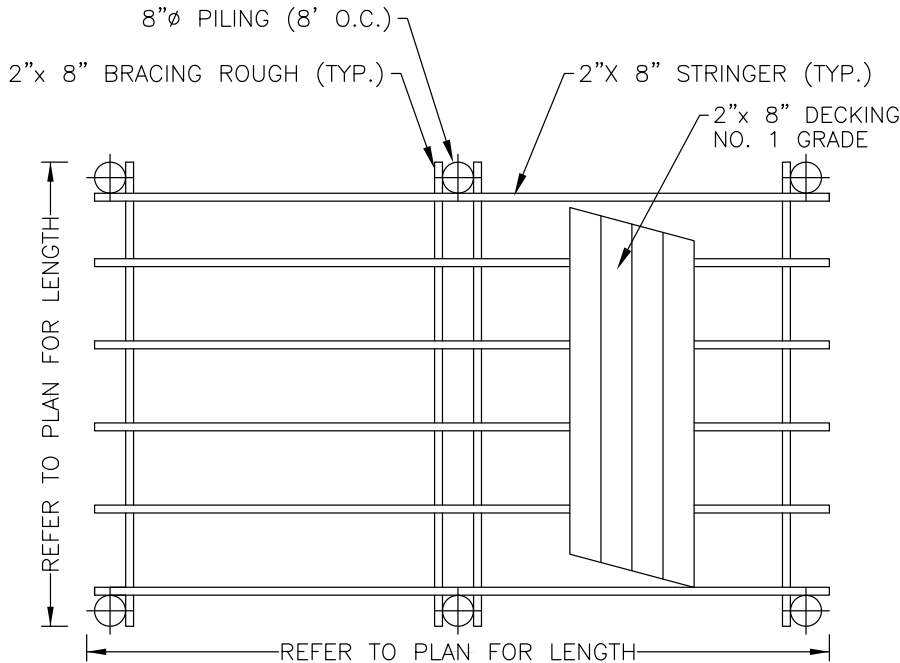
PURPOSE: WATERFRONT ACCESS
 DATUM: NAVD 1988
 ADJACENT PROPERTY OWNERS:
 1. GEORGE H. BURTON III TRUST
 2. KATHRYN BLANCHE TAYLOR



PROPOSED RIP-RAP, PIER, DOCK & BOATLIFT
 APPLICATION BY: ALEX MITCHUM C/O SCOTT TAYLOR
 SITE ADDRESS: 848 LINBAY DRIVE
 VIRGINIA BEACH, VIRGINIA 23451

DATE: 07/08/2021
 PLAT: N-74
 SHEET 5 OF 7

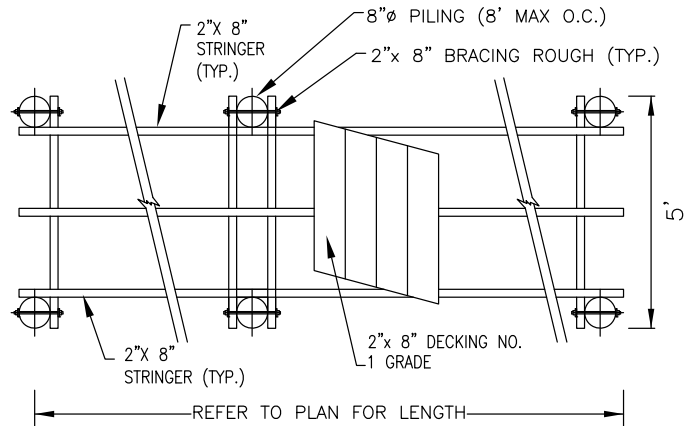
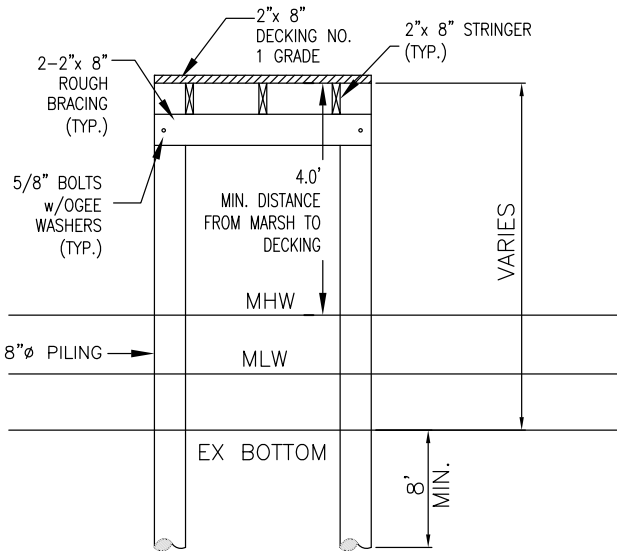
F.B./PG.: 1053/31
 WPL# 220-0239



TYPICAL DOCK SECTION
1/4"=1'

NOTE:

1. ALL FRAMING LUMBER AND PILINGS SHALL BE CCA 2.5 ROUGH MARINE SALT TREATED.
2. ALL HARDWARE AND FASTENERS SHALL BE HOT DIPPED GALVANIZED. (MINIMUM 1/2" BOLT, NUT, AND WASHER SIZE)
3. DEPTHS OF PILES TO BE DETERMINED IN THE FIELD, 50% PENETRATION MINIMUM BELOW EXISTING MUD LINE

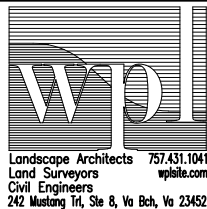


TYPICAL DOCK SECTION
1/4"=1'

DETAILS
SCALE: 1/4"=1'

DETAILS
SCALE: NTS

PURPOSE: WATERFRONT ACCESS
DATUM: NAVD 1988
ADJACENT PROPERTY OWNERS:
1. GEORGE H. BURTON III TRUST
2. KATHRYN BLANCHE TAYLOR



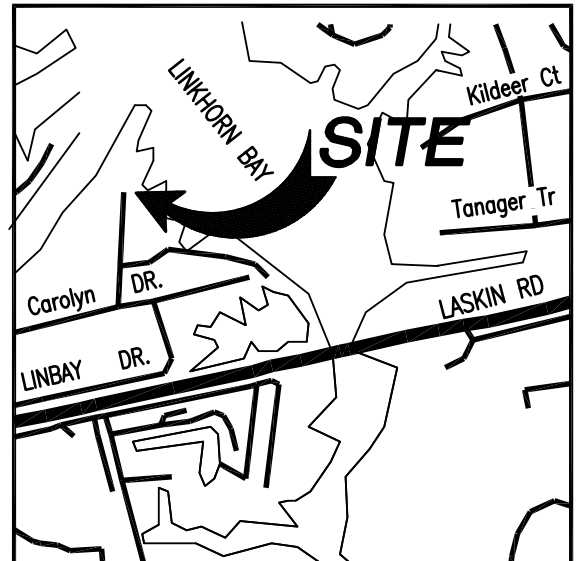
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APPLICATION BY: ALEX MITCHUM C/O SCOTT TAYLOR
SITE ADDRESS: 848 LINBAY DRIVE
VIRGINIA BEACH, VIRGINIA 23451

DATE: 07/08/2021
PLAT: N-74
SHEET 6 OF 7

F.B./PG.: 1053/31
WPL# 220-0239

PIER/DOCK LAYOUT DIMENSIONS

REF. NUMBER	DISTANCE FROM POINT	DISTANCE FROM POINT
1	A 119.6'	B 137.2'
2 1-2	75.6'	A 188.9' B 190.0'
3 2-3	36.6'	A 203.9' B 198.3'
4 3-4	31.2'	A 192.6' B 179.7'
5 4-5	26.4'	A 174.8' B 159.2'
6 5-6	97.7'	A 116.7' B 81.3'
7 6-7	15.9'	A 106.7' B 67.7'
8 7-8	67.0'	A 103.1' B 59.0'
9 8-9	37.6'	A 125.6' B 84.5'



LOCATION MAP

SCALE : 1" = 1500'



PERMANENT SEEDING SPECIFICATIONS QUICK REFERENCE FOR COASTAL PLAIN AREA

MINIMUM CARE LAWN (COMMERCIAL OR RESIDENTIAL) **TALL FESCUE** 1 SEPT 16-APRIL 30 **175-200 (LBS/ACRE)**
OR
BERMUDAGRASS 1 MAY 1 - SEPT. 15 **75 (LBS/ACRE)**

NOTES:

- A TEMPORARY SILT FENCE WILL BE ESTABLISHED AND MAINTAINED PRIOR TO ANY BACKFILLING UNTIL PERMANENT VEGETATIVE COVER IS ESTABLISHED.
- THE REQUIRED SILT FENCE SHALL BE PROPERLY INSTALLED AND MAINTAINED SEAWARD OF ALL DISTURBED AREAS AT THE CONCLUSION OF EACH WORK DAY. SAID SILT FENCE SHALL BE 36" IN WIDTH WITH 4" EN-TRENCHED VERTICALLY AND 4" ENTRENCHED HORIZONTALLY.

- INSTALLATION AND ACCESS TO PROJECT SITE TO BE DONE VIA WATER BY BARGE AND WITHIN THE CONSTRUCTION ACCESS WAY ONLY (AS SHOWN ON THE PLANS)
- REMOVE THE DILAPIDATED CONCRETE/WALL BULKHEAD AND DISPOSE OF IN A LAWFUL MANNER
- APPLICANT IS TO RESTORE ALL UPLAND DISTURBED AREAS WITH THE INSTALLATION OF IN-KIND VEGETATION



CONSTRUCTION SPECIFICATIONS

INSTALLATION:

- THE FILTER FABRIC SHALL BE PURCHASED IN A CONTINUOUS ROLL CUT TO THE LENGTH OF THE BARRIER TO AVOID THE USE OF JOINTS. WHEN JOINTS ARE NECESSARY, FILTER CLOTH SHALL BE SPICED TOGETHER ONLY AT A SUPPORT POST, WITH A MINIMUM OF 6 INCHES OF OVERLAP AND SECURELY TIED.
- POSTS SHALL BE SPACED A MAXIMUM OF 10 FEET APART USING FILTER FABRIC WITH WIRE FENCE SUPPORT. WHEN EXTRA STRENGTH FABRIC IS USED WITHOUT THE WIRE SUPPORT FENCE, POST SPACING SHALL NOT EXCEED 6 FEET.
- WHEN STANDARD STRENGTH FABRIC IS USED, A WIRE SUPPORT FENCE SHALL BE FASTENED SECURELY TO THE UPSLOPE SIDE OF THE POSTS USING HEAVY DUTY WIRE STAPLES AT LEAST 1 INCH LONG, THE WIRE OR HOG RINGS, THE WIRE SHALL EXTEND INTO THE 4" X 4" TRENCH A MINIMUM OF 2 INCHES AND SHALL NOT EXTEND MORE THAN 36 INCHES ABOVE THE ORIGINAL GROUND SURFACE. THE FABRIC SHALL BE STAPLED OR WIRED TO THE FENCE AND 8 INCHES OF THE FABRIC SHALL BE EXTENDED INTO THE TRENCH. THE FABRIC SHALL NOT EXTEND MORE THAN 36 INCHES ABOVE THE ORIGINAL GROUND SURFACE. FILTER FABRIC SHALL NOT BE STAPLED TO EXISTING TREES.
- WHEN EXTRA STRENGTH FILTER FABRIC AND CLOSER POST SPACING ARE USED, THE WIRE SUPPORT FENCE MAY BE ELIMINATED. IN SUCH A CASE, THE FILTER FABRIC IS STAPLED OR WIRED DIRECTLY TO THE POSTS WITH ALL OTHER PROVISIONS OF ITEM 3 APPLYING.
- THE TRENCH SHALL BE BACKFILLED AND THE SOIL COMPACTED OVER THE FILTER FABRIC.
- SILT FENCES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFUL PURPOSES, BUT NOT BEFORE THE UPSLOPE AREA HAS BEEN PERMANENTLY STABILIZED.

MATERIALS:

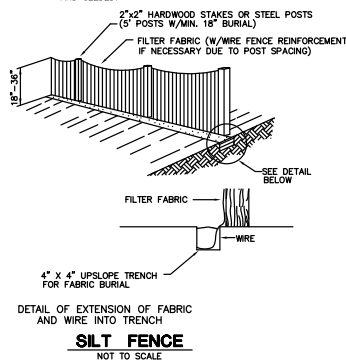
- SYNTHETIC FILTER FABRIC SHALL BE A PEROUS SHEET OF PRO-PYLENE, NYLON, POLYESTER OR ETHYLENE YARN WITH A MINIMUM OF SIX (6) MONTHS EXPECTED USABLE LIFE, AND CERTIFIED BY THE MANUFACTURER OR SUPPLIER AS CONFORMING TO THE FOLLOWING REQUIREMENTS:

PHYSICAL PROPERTY	REQUIREMENTS
FILTERING EFFICIENCY	75% (MIN.)
TENSILE STRENGTH AT 23% (MAX.) ELONGATION	EXTRA STRENGTH— 50 LBS./LIN. IN. (MIN.) STANDARD STRENGTH— 30 LBS./LIN. IN. (MIN.)
FLOW RATE	0.3 GAL./SQ.FT. (MIN.)

- POSTS SHALL BE EITHER 4-INCH DIAMETER WOOD OR 1.33 POUNDS PER LINEAR FOOT STEEL WITH A MINIMUM LENGTH OF 5 FEET. STEEL POSTS SHALL HAVE PROJECTIONS FOR FASTENING WIRE TO THEM.
- WIRE FENCE REINFORCEMENT FOR SILT FENCES USING STANDARD STRENGTH FILTER CLOTH SHALL BE A MINIMUM OF 42 INCHES IN HEIGHT, A MINIMUM OF 14 GAUGE AND SHALL HAVE A MAXIMUM MESH SPACING OF 6 INCHES.

MAINTENANCE:

- SILT FENCES SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY.
- SHOULD THE FABRIC DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE AND THE BARRIER IS STILL NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY. SEDIMENT DEPOSITS SHOULD BE REMOVED AFTER EACH STORM EVENT. THEY MUST BE REMOVED WHEN DEPOSITS REACH APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.
- ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE OR FILTER BARRIER IS NO LONGER REQUIRED SHALL BE DRESSED TO CONFORM WITH THE EXISTING GRADE, PREPARED AND SEEDED.



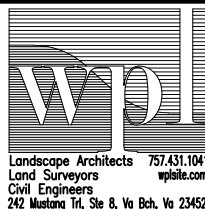
SILT FENCE
NOT TO SCALE

SEQUENCE OF CONSTRUCTION

- OBTAIN REQUIRED PERMITS FROM GOVERNMENTAL AGENCIES.
- INSTALL E&S CONTROL.
- INSTALL NEW REP-RAP REVETMENT, PIER, DOCK AND BOATLIFT.
- APPLICANT IS TO RESTORE ALL UPLAND DISTURBED AREAS WITH THE INSTALLATION OF IN-KIND VEGETATION
- IMMEDIATELY SEED AND MULCH ALL DENUED AREAS UPON COMPLETION OF THE PROJECT.

DETAILS
SCALE: NOTED

PURPOSE: WATERFRONT ACCESS
DATUM: NAVD 1988
ADJACENT PROPERTY OWNERS:
 1. GEORGE H. BURTON III TRUST
 2. KATHRYN BLANCHE TAYLOR



PROPOSED RIP-RAP, PIER, DOCK & BOATLIFT
 APPLICATION BY: ALEX MITCHUM C/O SCOTT TAYLOR
 SITE ADDRESS: 848 LINBAY DRIVE
 VIRGINIA BEACH, VIRGINIA 23451

DATE: 07/08/2021
 PLAT: N-74
 SHEET 7 OF 7

F.B./PG.: 1053/31
 WPL# 220-0239



November 1, 2021

George H. Burton, III Trust
850 Linbay Drive
Virginia Beach, VA 23451

Re: Alex Mitchum
848 Linbay Drive
Virginia Beach, VA 23451
Joint Permit Application
Proposed Waterfront Maintenance Project

This letter is to notify you of the Waterfront construction activities that the adjacent property owners, Alex Mitchum, are seeking permission to construct a pier, dock, and mechanical boat lift, and replace the existing rip-rap revetment. The nature and scope of the improvements are fully described in the enclosed drawings. Should you have any comment on this project, please contact our office to discuss your concerns or send written objections to:

VMRC
Habitat Management Division
Building 96, 380 Fenwick Road
Ft. Monroe, VA 23651

Should you have no objections or concerns please disregard this letter. If no response is received within 14 days of the date of this letter, it will be assumed that you have no objection or comment on the project.

Thank you in advance for your time and consideration, please feel free to call me with any questions or concerns at 431-1041 ext 46.

Sincerely,
WPL
Eric Garner, LS



November 1, 2021

Kathryn Blanche Taylor
828 Linbay Drive
Virginia Beach, VA 23451

Re: Alex Mitchum
848 Linbay Drive
Virginia Beach, VA 23451
Joint Permit Application
Proposed Waterfront Maintenance Project

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Thank you in advance for your time and consideration, please feel free to call me with any questions or concerns at 431-1041 ext 46.

Sincerely,
WPL
Eric Garner, LS



U.S. Army Corps
Of Engineers
Norfolk District

REGIONAL PERMIT 17 CHECKLIST

Please review the 18-RP-17 enclosure before completing this form and note 18-RP-17 can only be used for proposed **PRIVATE USE** structures that comply with the terms and conditions of 18-RP-17. Copies can be obtained online at <http://www.nao.usace.army.mil/Missions/Regulatory/RBregional/>.

- YES NO (1) Has the permittee reviewed the 18-RP-17 enclosure and verified that the proposed structure(s) is in compliance with all the terms, conditions, and limitations of 18-RP-17?
- YES NO (2) Does the proposed structure(s) extend no more than one-fourth of the distance across the waterway measured from either mean high water (MHW) to MHW (including all channelward wetlands) or ordinary high water (OHW) to OHW (including all channelward wetlands)?
- YES NO (3) Does the proposed structure(s) extend no more than 300 feet from MHW or OHW (including all channelward wetlands)?
- YES NO N/A (4) Does the proposed structure(s) attach to the upland at a point landward of MHW or OHW (including all channelward wetlands)?
- YES NO N/A (5) If the proposed structure(s) crosses wetland vegetation, is it an open-pile design that has a maximum width of five (5) feet and a minimum height of four (4) feet between the decking and the wetland substrate?
- YES NO N/A (6) Does the proposed structure(s) include no more than two (2) boatlifts and no more than two (2) boat slips?
- YES NO N/A (7) Is the open-sided roof structure designed to shelter a boat \leq 700 square feet and/or is the open sided roof structure or gazebo structure designed to shelter a pier \leq 400 square feet?
- YES NO N/A (8) Are all piles associated with the proposed structure(s) non-steel, less than or equal to 12" in diameter, and will less than or equal to 25 piles be installed channelward of MHW?
- YES NO N/A (9) Is all work occurring behind cofferdams, turbidity curtains, or other methods to control turbidity being utilized when operationally feasible and federally listed threatened or endangered species may be present?
- YES NO N/A (10) If the proposed structure(s) is to be located within an anadromous fish use area, will the prospective permittee adhere to the anadromous fish use area time of year restriction (TOYR) prohibiting in-water work from occurring between February 15 through June 30 of any given year if (1) piles are to be installed with a cushioned impact hammer and there is less than 492 feet between the most channelward pile and mean low water (MLW) on the opposite shoreline or (2) piles are to be installed with a vibratory hammer and there is less than 384 feet between the most channelward pile and MLW on the opposite shoreline?
- YES NO (11) Is all work occurring outside of submerged aquatic vegetation (SAV) mapped by the Virginia Institute of Marine Sciences' (VIMS) most recent survey year and 5 year composite?
- YES NO (12) Has the permittee ensured the construction and/or installation of the proposed structure(s) will not affect federally listed threatened or endangered species or designated critical habitat?
- YES NO (13) Will the proposed structure be located outside of Broad Creek in Middlesex County, Fisherman's Cove in Norfolk, or the Salt Ponds in Hampton?
- YES NO (14) Will the proposed structure(s) be located outside of the waterways containing a Federal Navigation Project listed in Permit Specific Condition 12 of 18-RP-17 and/or will all portions of the proposed structure(s) be located more than 85 feet from the Federal Navigation Project?

- YES NO (15) Will the proposed structure(s) be located outside a USACE Navigation and Flood Risk Management project area?
- YES NO (16) Will the proposed structure(s) be located outside of any Designated Trout Waters?
- YES NO N/A (17) If the proposed structure(s) includes flotation units, will the units be made of materials that will not become waterlogged or sink if punctured?
- YES NO N/A (18) If the proposed structure(s) includes flotation units, will the floating sections be braced so they will not rest on the bottom during periods of low water?
- YES NO (19) Is the proposed structure(s) made of suitable materials and practical design so as to reasonably ensure a safe and sound structure?
- YES NO (20) Will the proposed structure(s) be located on the property in accordance with the local zoning requirements?
- YES NO N/A (21) If the proposed structure(s) includes a device used for shellfish gardening, will the device be attached directly to a pier and limited to a total of 160 square feet?
- YES NO N/A (22) If the proposed structure(s) includes a device used for shellfish gardening, does the permittee recognize this RP does not negate their responsibility to obtain an oyster gardening permit (General Permit #3) from Virginia Marina Resources Commission (VMRC)'s Habitat Management Division? Please refer to Appendix D of the Tidewater JPA for more details on VMRC's aquaculture requirements.
- YES NO (23) Does the permittee recognize this RP does not authorize any dredging or filling of waters the United States (including wetlands) and does not imply that future dredging proposals will be approved by the Corps?
- YES NO (24) Does the permittee understand that by accepting 18-RP-17, the permittee accepts all of the terms and conditions of the permit, including the limits of Federal liability contained in the 18-RP-17 enclosure? Does the permittee acknowledge that the structures permitted under 18-RP-17 may be exposed to waves caused by passing vessels and that the permittee is solely responsible for the integrity of the structures permitted under 18-RP-17 and the exposure of such structures and vessels moored to such structures to damage from waves? Does the permittee accept that the United States is not liable in any way for such damage and that it shall not seek to involve the United States in any actions or claims regarding such damage?

IF YOU HAVE ANSWERED "NO" TO ANY OF THE QUESTIONS ABOVE, REGIONAL PERMIT 17 (18-RP-17) DOES NOT APPLY AND YOU ARE REQUIRED TO OBTAIN WRITTEN AUTHORIZATION FROM THE CORPS PRIOR TO PERFORMING THE WORK.

IF YOU HAVE ANSWERED "YES" (OR "N/A", WHERE APPLICABLE) TO ALL OF THE QUESTIONS ABOVE, YOU ARE IN COMPLIANCE WITH REGIONAL PERMIT 17 (18-RP-17). PLEASE SIGN BELOW, ATTACH, AND SUBMIT THIS CHECKLIST WITH YOUR COMPLETED JOINT PERMIT APPLICATION (JPA). THIS SIGNED CERTIFICATE SERVES AS YOUR LETTER OF AUTHORIZATION FROM THE CORPS. YOU WILL NOT RECEIVE ANY OTHER WRITTEN AUTHORIZATION FROM THE CORPS; HOWEVER, YOU MAY NOT PROCEED WITH CONSTRUCTION UNTIL YOU HAVE OBTAINED ALL OTHER NECESSARY STATE AND LOCAL PERMITS.

I CERTIFY THAT I HAVE READ AND UNDERSTAND ALL CONDITIONS OF THE REGIONAL PERMIT 17 (18-RP-17), DATED SEPTEMBER 2018, ISSUED BY THE US ARMY CORPS OF ENGINEERS, NORFOLK DISTRICT REGULATORY BRANCH (CENAO-WRR), NORFOLK, VIRGINIA.


 10/29/2021
 Signature of Property Owner(s) or Agent
 Date _____

Proposed work to be located at:

 848 Linbay Drive, Virginia Beach, Virginia 23451